

REMARKS

Claims 68-83 and 107-114 are pending. The amended claims are directed to methods of treating Dry Eye Syndrome (keratoconjunctivitis sicca). In the advisory action the Examiner stated that the previous submission

does not place the application in condition for allowance because: for the reasons of record. Applicant in his remarks argues that none of the references teach the use of astaxanthan (sic) for the treatment of dry eye. Applicant is reminded that the claims are not directed to the treatment of dry eye. The claims are drawn to the treatment of "symptoms of ocular inflammation associated with dry eye syndrome". Therefore, the use of astaxanthin for the treatment of any ocular inflammatory condition reads on the claimed condition.

In a telephone conference with Examiner Fay on March 9, 2011, the Examiner agreed that all pending prior art rejections would be overcome by amending the claims to require "A method of treating Dry Eye Syndrome....." Accordingly, claims 68 and 108-114 have been amended in accordance with the Examiner's suggestion. The amendment is supported by disclosure in the paragraph spanning page 11-12 of the specification, which paragraph discloses treatment of keratoconjunctivitis sicca (a.k.a. dry eye syndrome).

No new matter has been added by this amendment, and no new issues have been raised. The amendment merely adopts examiner suggestions made in the Advisory Action and removes issues for appeal. Thus, Applicants respectfully request entry of this amendment and withdrawal of all remaining rejections.

CONCLUSION

In response to the Advisory Action mailed February 17, 2011, and in response to a telephone conference with the Examiner on March 9, 2011, Applicants believe that the application and claims are in condition for allowance and respectfully request entry of this amendment.

The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 41108-503002US (formerly: 21534-002CIP).

Respectfully submitted,



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